

MARION COUNTY SUPERIOR COURT, CRIMINAL DIVISION
NOTICE OF PROBATION VIOLATION

FILED

TO: SHEILA A. CARLISLE

RE: CORBALLY, SHAWN

AUG 01 2012

Cause No: 49G030003PC048347

Gallery No: 540026

Convicted of: Rape (A Felony/DF/DW/SBI)

CLERK OF THE MARION CIRCUIT COURT

Suspended Sentence: 5 Year(s) Probation Start Date: 2/23/2012 Scheduled Discharge: 2/21/2017

Total Monetary Obligation: \$2,000.00 PAID \$2,000.00 ☐ Indigent**ALLEGATIONS:**

Mr. Corbally:

1. failed to report to the probation department for an office appointment on 7/30/12.
2. on or about 7/31/12, was arrested for the offenses of: three counts of Rape/ FA, three counts of Criminal Deviant Conduct/FA, Burglary/FB, Intimidation/FC, and Residential Entry FD under Greenwood Police Department Case Number G12L15229.
3. failed to report to the probation department for an office appointment on 8/1/12.

ADDITIONAL INFORMATION:

This probation term is running concurrently with Cause 49G03-0003-CF-048348. This is the first violation filed under this cause.

Mr. Corbally was released to probation supervision on 2/23/12. At his initial appointment with this officer, he requested his probation be transferred to Clinton County, Indiana in order to live with his sister. On 2/28/12, Probation forwarded this request to the Court under the concurrent cause. Approval for this transfer was granted upon payment of restitution. He paid the total amount due under this cause on 3/28/12.

At this time, a transfer request was submitted to Clinton County, Indiana. Mr. Corbally was scheduled an appointment with that office on 4/24/12. Supervision was accepted by Clinton County, Indiana on 4/26/12. Until this date, Mr. Corbally was being seen by this officer two times a month.

(Continued on Page 2)

NOTICE IS HEREBY GIVEN THE PROBATIONER THAT, SHOULD THE COURT FIND YOU HAVE VIOLATED YOUR PROBATION, THE PROBATION DEPARTMENT MAY RECOMMEND THAT YOUR PROBATION BE MODIFIED, OR THAT IT BE REVOKED AND THE ORIGINALLY SUSPENDED SENTENCE BE IMPOSED BY THE COURT.

☐ As of today's date, defendant is in Custody. ☐ Other

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING ALLEGATIONS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date: August 01, 2012

Officer:

Jeanine Faulkner
 Jeanine Faulkner

Reviewed by:

Christine Kerl
 Christine Kerl

The Court being duly advised now orders:☒ Warrant be issued. Bond Amount: *BNB*☐ Order to Appear Hearing Date/Time: _____

CT: SUPERIOR 03 ROOM _____

☐ Notify Upon Disposition☐ No Hearing scheduled at this time.☐ Other☐ Court remands defendant into Custody on this case.☐ D701 - APC May Handle

DATE:

8-1-2012

Sheila A. Carlisle
 Judge of Criminal Division
Elizabeth A. White
 Clerk of the Court

VIOLATION OF PROBATION (CONTINUED)

RE: CORBALLY, SHAWN L

Cause No: 49G030003PC048347

On 7/23/12, this officer was advised that Mr. Corbally was arrested for the offenses of: two counts of Sexual Battery/FC, Criminal Confinement/FC and Strangulation/FD under cause number 49G05-1207-MC-050073. On 7/24/12, no charges were filed and Mr. Corbally was released. Attached is the police report under this cause.

On 7/24/12, this officer spoke with Clinton County Probation Officer Matthew Risk to advise of Mr. Corbally's arrest and to advise to close interest in the case as Marion County would resume supervision. Officer Risk reported that Mr. Corbally was seen in the office three times since he was transferred and he had attended three counseling appointments with the local sex offender treatment agency since acceptance of this cause. Mr. Corbally was to report to their office that date, but had not yet at the time of the phone conversation.

On 7/26/12, this officer e-mailed Chief Probation Officer Nancy Ward requesting the latest contact information for Mr. Corbally. On this same date, this officer called the last known phone number for Mr. Corbally and left a message on this voicemail instructing him to report to the Marion County Probation Department on 7/30/12 at 9:00am. Also on 7/26/12, this officer called the main phone number for Clinton County Probation at 12:54pm; however, there was no answer on this line. On 7/27/12, Supervisor Melanie Pitstick left a message on Mr. Corbally's emergency contact number which was his mother at 9:08am. On this same date, Supervisor Pitstick left a message on Mr. Corbally's cell phone instructing him to contact her immediately. Supervisor Pitstick also notified the Clinton County Sheriff's Department that Mr. Corbally was released from the Marion County Jail on 7/24/12 and that our office had not been able to contact him. On 7/30/12, Mr. Corbally was notified via voicemail on 7/26/12 to report to the Probation Department at 9:00am; however, he failed to report as directed.

On 7/31/12, this officer and Probation Officer Melonie Coan travelled to the Clinton County Probation Department located in Frankfort, Indiana and spoke with Probation Officer Matthew Risk. He verified that all contact information that this officer had was the latest information they had also. These officers then met with Detective/Deputy Jeffrey Cline of the Clinton County Sheriff's Department. He stated that Mr. Corbally's sister telephoned the Clinton County Sheriff's Department two days prior questioning where her brother was at because she had not seen him. Detective/Deputy Cline stated that Mr. Corbally had not re-registered with their department as required by the Indiana Sex and Violent Offender Registration statute after leaving the Marion County Jail and his whereabouts were unknown at this time. Probation requested that the Sheriff's Department accompany them to Mr. Corbally's reported address of 5718 North County Road 930 East, Forest, Indiana. Deputy Abbott of the Clinton County Sheriff's Department accompanied probation to his reported address at 1:42pm. There was no answer at the residence. A letter was left with an appointment date of 8/1/12 at 7:00am, and to contact probation upon the receipt of the letter along with notice that if he did not report as directed the Court would be notified. Mr. Corbally failed to report as directed.

On 7/31/12, Lee Markey, the probation department's liaison with the U.S. Marshalls, contacted this officer inquiring about Mr. Corbally in regards to a active rape investigation in Johnson County, Indiana. On 8/1/12, this officer was notified by Lee Markey that Mr. Corbally was arrested in Johnson County, Indiana and gave this officer contact information for the Greenwood Police Department. This officer spoke with the Greenwood Police Department and was advised that Mr. Corbally was arrested for the offenses of three counts of Rape/FA, three counts of Criminal Deviant Conduct/FA, Burglary FB, Intimidation/FC, and Residential Entry FD under Greenwood Case Number G12L15229. This officer was advised via law enforcement that Mr. Corbally had been residing in Greenwood, Indiana with Mr. Joel Clark since 7/26/12 or 7/27/12. This address information has not been reported to the local law enforcement agencies required for his obligatory sex and violent offender registration. On 8/1/12, this officer spoke with Detective/Deputy Cline of the Clinton County Sheriff's Department regarding this address information. He stated that Failure to Register charges will be forwarded to the Clinton County Prosecutor's Office as soon as they get the verification from Johnson County, Indiana that is needed.

This officer spoke with the Johnson County Prosecutor's Office on 8/1/12. A copy of the Probable Cause Affidavit was forwarded to this officer. This officer was advised that the cause number and additional information would be forthcoming. Also on 8/1/12, this officer spoke with Detective/Deputy Cline of the Clinton County Sheriff's Department. He stated that Failure to Register charges will be filed in Clinton County as soon as they get the verification from Johnson County that they need.